

PATENT APPLICATION

Docket No. 2004-2148.ORI

UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Daniel P. Hurt Date: December 15, 2005

S.N. : 10/786,767 Group Art: 3671

Filed: February 25, 2004 Examiner: Christopher J.

Novosad

For : ERGONOMIC HAND TOOL

RESPONSE TO RESTRICTION REQUIREMENT

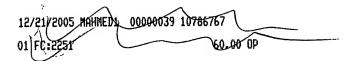
VIA FACSIMILE: <u>571.273.8300</u>

Mail Stop Non-Fee Amendments Commissioner for Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated November 10, 2005 in the above-identified application. Please enter the following election and remarks.

Applicant herewith elects, with traverse, Group I, Claims 1-5 and 8. Applicant respectfully traverses the Restriction Requirement. Each of presently pending claims are drawn to a hand tool having a pivoting handle disposed



at an intermediate portion of a frame of the tool. As such, the examiner will necessarily search for and evaluate the subject matter of Claims 6, 7, and 9-13 in conducting the examination of Claims 1-5 and 8. Accordingly, applicant respectfully submits that Claims 6, 7, and 9-13 should be combined with Claims 1-5 and 8 for examination purposes.

Respectfully submitted,

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